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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/645,123
Filing Date: August 21, 2003
Appellant(s): DETTINGER ET AL.

Gero G. McClellan
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/19/2008 appealing from the Office action mailed 8/27/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,956,593

Gupta et al.

10-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 18-21 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al. (U.S. Patent No. 6,956,593).

As to claim 1, Gupta et al. teaches a method for annotating a query component, the query component being a component of a query (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42), comprising:

receiving a selection of the query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);

receiving an annotation and a request to associate the annotation with the selected query component via an interface allowing a user to create the annotation and request the association with the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); and

storing, on a storage medium, the annotation with a reference to the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 2, Gupta et al. teaches wherein the selected query component comprises one or more query conditions (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 3, Gupta et al. teaches wherein the selected query component comprises one or more instance values of data, where instance values are any particular value inputted in a field (See column 12, lines 51-59).

As to claim 4, Gupta et al. teaches providing an interface for building the query by specifying query components (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); and wherein receiving an indication of the selected query component comprises receiving a user selection of one or more

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query components specified, via the interface, for use in a query (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claims 5 and 19, Gupta et al. teaches providing an interface allowing the user to create a suggested substitution for the selected query component, the suggested substitution being selectable to replace the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); wherein the operations further comprise providing an interface allowing the user to create a suggested substitution for the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 6, Gupta et al. teaches wherein storing the annotation with a reference to the one or more query components comprises: decomposing the query component into one or more fragments; and storing the fragments with the annotation (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claims 7 and 20, Gupta et al. teaches wherein storing the annotation with a reference to the one or more query components comprises: substituting a parameter marker for an instance value contained in the query component; and storing the query component with the parameter marker with the annotation (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); wherein storing

the annotation with a reference to the one or more query components comprises: substituting a parameter marker for an instance value contained in the query component; and storing the query component with the parameter marker with the annotation (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 18, Gupta et al. teaches a computer-readable storage medium containing a program for annotating query components which, when executed by a processor (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42), performs operations comprising:

receiving a selection of a query component, the selected query component being a component of a query (column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);

receiving an annotation and a request to associate the annotation with the selected query component via an interface allowing a user to create an annotation to associate with the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); and

storing, on a storage device, the annotation with a reference to the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 21, Gupta et al. teaches wherein the operations further comprise: monitoring one or more query components specified for use in a query (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); searching for annotations associated with the one or more query components (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); and providing an indication of one or more annotations, if found, associated with the one or more query components (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

As to claim 30, Gupta et al. a method (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42), comprising: receiving a selection of the query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); providing an interface allowing a user to create an annotation and request an association between the annotation and the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); in response to receiving the annotation and the request, storing, on a storage medium, the annotation with a reference to the selected query component (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);

monitoring one or more query components specified for use in a query being composed in a query building interface (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);

searching for stored annotations associated with the one or more query components (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42); and

outputting an indication of one or more annotations, if found, associated with the one or more query components (See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).

(10) Response to Argument

In response to applicants' arguments regarding "***Gupta does not disclose 'each and every element as set forth in the claim.' As a general matter, Gupta is directed to annotating multimedia content and querying such annotations on the multimedia content. Thus, Gupta is not directed to annotating the queries components, or even complete queries for that matter, as recited in the claims,***" the arguments have been fully considered but are not found to be persuasive, because Gupta teaches client/server system, wherein annotations can be created corresponding to media content (See abstract). Gupta discloses a user interface that allows the user to open up a "query" dialog box" wherein a user can search for annotations as well as "Add new annotations", within that "query" dialog box" (See column 12, lines 39-67; column 13, lines 1-10). Furthermore, Gupta discloses that the user can select from a

list of annotations to be included in the query but not only can the user select from predefined annotation sets but the user can also "create" new annotation to associate with the query through the user interface (See column 2, lines 39-53; column 16, lines 7-42; column 17, lines 52-67; column 18, lines 1-47). The applicant argues that Gupta's "query annotation" and the claim "query component" differ in meaning; however the examiner would like to point out that the claim language does not differentiate nor disclose what "query component" signifies. The claim language only states that the "query component is a component of a query", however this is a circular statement and can be interpreted in many ways. The query component can be anything from the query itself to the additional fields that can also be selected or filled in, in order to add to the query search, which is a query component and is disclosed in Gupta (See column 16, lines 31-42). Therefore, the examiner believes that Gupta does in fact disclose creating a new annotation to be associated with a query search.

In response to applicants' arguments regarding "***at no point does Gupta teach of an ability to annotate components of a query, as claimed,***" the arguments have been fully considered but are not found to be persuasive, because Gupta discloses a user interface that allows the user to open up a "query" dialog box" wherein a user can search for annotations as well as "Add new annotations", within that "'query' dialog box" (See column 12, lines 39-67; column 13, lines 1-10). The claim language only states that the "query component is a component of a query", however this is a circular statement and can be interpreted in many ways. The query component can be anything from the query itself to the additional fields that can also be selected or filled in, in order

to add to the query search, which is a query component and is disclosed in Gupta (See column 16, lines 31-42). Therefore, the examiner believes that Gupta does in fact disclose creating a new annotation to be associated with a query search.

In response to applicants' arguments regarding ***"Gupta does not teach query annotation, but rather teaches a non-analogous idea of 'annotation query.' 'Annotation query,' as taught by Gupta, is the search (or query) of annotations. In contrast, 'query annotation,' is the annotation of queries,"*** the arguments have been fully considered but are not found to be persuasive, because Gupta discloses that the user can select from a list of annotations to be included in the query but not only can the user select from predefined annotation sets but the user can also "create" new annotation to associate with the query through the user interface (See column 2, lines 39-53; column 16, lines 7-42; column 17, lines 52-67; column 18, lines 1-47).

In response to applicants' arguments regarding ***"Examiner is incorrect in stating that Gupta teaches a 'query annotation' and that 'query annotation' can be read as a 'query component,'"*** the arguments have been fully considered but are not found to be persuasive, because again the examiner would like to point out that the claim language only states that the "query component is a component of a query", however this is a circular statement and the query component can be anything from the query itself to the additional fields that can also be selected or filled in, in order to add to the query search, which is also disclosed in Gupta (See column 16, lines 31-42). Therefore, the examiner believes that Gupta does in fact disclose creating a new annotation to be associated with a query search.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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